

**IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF OKLAHOMA**

ADANA INVESTING, INC.

Plaintiff,

v.

WELLS FARGO BANK, N.A., ET AL.

Defendants.

)
) **Case NO. 16-mc-00022- JED-PJC**
)
) **(Underlying Case: 1:16-cv-21562-**
) **UNGARO/OTAZO-REYES,**
) **USDC SD FLA)**
)
)

ORDER

THIS CAUSE came before the Court for telephonic hearing on February 6, 2017, as duly noticed upon Defendant Wells Fargo Bank, N.A.’s (“WF Bank”) Motion to Compel the Production of Documents from Non-Party Jason Van Eman [ECF No. 1], WF Bank’s Motion to Compel Jason Van Eman’s Attendance at Deposition [ECF No. 8], and Plaintiff Adana Investing, Inc.’s Notice of Joinder in WF Bank’s Motion to Compel Jason Van Eman’s Attendance at Deposition [ECF No. 10] (collectively, the “Motions”).


THE COURT has considered the Motions, the stipulations of Jason Van Eman and the parties and their respective counsel announced on the record at the telephonic hearing, and the pertinent portions of the record, and is otherwise fully advised in the premises. Accordingly, it is hereby

ORDERED AND ADJUDGED that:

1. Jason Van Eman shall produce documents responsive to Defendant Wells Fargo Bank, N.A.’s Subpoena to Produce Documents [ECF No. 1-2] by no later than close of business EST on February 10, 2017.

2. Mr. Van Eman shall appear for deposition on February 16, 2017, beginning at 10:00 a.m., at Greenberg Traurig LLP, 401 East Las Olas Boulevard, Suite 2000, Fort Lauderdale, Florida 33301.
3. The Court finds that the parties have expended considerable resources in attempting to obtain discovery from Mr. Van Eman, reserves its consideration of the Motions to the extent they seek sanctions, and instructs Mr. Van Eman that failure to comply with this Order shall expose him to such sanctions, including potentially monetary sanctions in respect of the parties' costs, and contempt of court.
4. The Court is informed by Plaintiff and Defendant WF Bank that they will seek leave from the U.S. District Court for the Southern District of Florida to secure Mr. Van Eman's production and to take the deposition of Mr. Van Eman out of time, discovery in this matter having otherwise closed on February 3, 2017, and shall inform this Court if further relief is appropriate.

IT IS SO ORDERED at Tulsa, Oklahoma, this 7TH day of February, 2017.



Paul J. Cleary
United States Magistrate Judge

cc:

All Counsel of Record via CM/ECF
and
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